



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: <u>3/31/08</u>
DATE FILED: <u>3/31/08</u>

ANDREW M. CUOMO  
Attorney General

LESLIE G. LEACH  
Executive Deputy Attorney General  
Division of State Counsel

March 27, 2008

JUNE DUFFY  
Assistant Attorney General in Charge  
Litigation Bureau

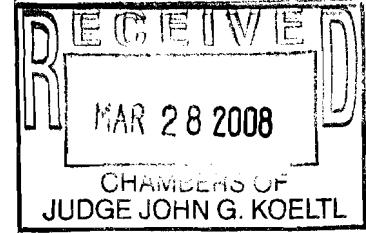
**By Hand Delivery to:**

The Honorable John G. Koeltl  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re:

APPLICATION GRANTED  
SO ORDERED

*3/28/08*  
John G. Koeltl, U.S.D.J.  
White v. DOCS et al.  
08 Civ. 0993 (JGK)(DCF)



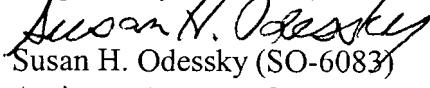
Your Honor:

I am an Assistant Attorney General in the Office of Andrew M. Cuomo, Attorney General of the State of New York, counsel for defendants New York State Department of Correctional Services, and individual defendants Van Valkenberg, Munafo, Williams, Haines and Murray. An answer or motion in lieu of an answer on behalf of the New York State Department of Correctional Services would be due on March 27, 2008 and the remaining defendants' answers would be due by March 31, 2008. I write respectfully to request an extension of time until May 30, 2008 for all of the defendants to respond to the complaint. Plaintiff's counsel has consented to this request via telephone. The extension is needed in order for my Office to review the complaint with the defendants already served and to gather any necessary records in order to make a thorough response to the complaint. In addition, to date, defendant Brocco has not yet been served. The extension will afford plaintiff the opportunity to complete service on defendant Brocco and for my Office to submit one answer or motion on behalf of all defendants.

No previous request for an extension of time to answer or otherwise respond to the complaint has been made. By making this request, I am not waiving any rights that defendant Brocco, who has not yet been served, may have, such as the right to assert the defense of lack of personal jurisdiction.

I thank the Court its consideration of this request.

Respectfully submitted,

  
Susan H. Odessky (SO-6083)  
Assistant Attorney General  
(212) 416-8572

cc: **Via Facsimile at (516) 358-1730 to:**

Rocco G. Avallone, Esq.  
Cronin & Byczek, LLP  
Attorneys for Plaintiff  
1983 Marcus Avenue, Suite C-120  
Lake Success, New York 11042